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EXAMINER

FERGUSON, KEITH

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2683

DATE MAILED: 04/22/2004

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/481,511

Applicant(s)

ZONDERVAN, QUINTON YVES

Examiner

Keith T. Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 17.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3,5,7-10,12,14-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis et al. in view of Schuetze et al., newly recited reference.

Regarding claims 1,5,7,15 and 19, Lazaridis et al. discloses an integrated message system (fig.1) comprising: at least two terminal devices associated with a common user (fig. 1 number 10 and 24; col. 7 lines 24-25 and col. 7 lines 34-37); wherein at least the second terminal device is a wireless terminal device (fig. 1 number 24); and at least on scripting agent (redirect software) (fig. 1 number 12) cause an electronic message (e-mail)(fig. 1 A) that is addressed to the first terminal (fig. 1 number 10) device to be transmitted to the wireless terminal device (fig. 1 number 24) upon a determination of substantially no user activity at the first terminal device (col. 7 lines 24-64). Lazaridis et al. differs from claims 1 and 15 of the present

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invention in that it does not disclose wherein the scripting agent is adapted to configure the electronic message to appear in a format that corresponds to a user interface for an application that resides on a terminal associated with a recipient of the electronic message. Schuetze et al. teaches a mail exchange (scripting agent) is adapted to configure an electronic message to appear in a mail format that corresponds to a user interface (pager) of an organization for an application (MS Mail or Lotus) (col. 5 lines 8-28 and col. 9 lines 54-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Lazaridis et al. redirector with the scripting agent is adapted to configure the electronic message to appear in a format that corresponds to a user interface for an application that resides on a terminal associated with a recipient of the electronic message in order for the integrated message system to convert the electronic message to an electronic format which the wireless device to be able to handle and process when the user is away from its desk, as taught by Schuetze et al..

Regarding claims 2,3,9,10,16,17 and 19, Lazaridis et al. teaches a physical monitoring device (Microsoft Messaging API) (MAPI) (fig. 1 number 12) to monitor the status (a level of activity at the first device or a determination of no substantially no user activity at the first terminal device) of the common user (col. 7 lines 15-59).

Regarding claims 8 and 12, Lazaridis et al. discloses a method (fig. 5) for managing communications between at least two terminal devices associated with a common user (fig. 1 number 10 and 24; col. 7 lines 24-25 and col. 7 lines 34-37); wherein at least the second terminal device is a wireless terminal device (fig. 1 number 24); and at least on scripting agent (redirect software) (fig. 1 number 12) cause an electronic message (e-mail) (fig. 1 A) that is addressed to the first terminal (fig. 1 number 10) device to be transmitted to the wireless terminal device (fig. 1 number 24) upon a determination of substantially no user activity at the first terminal device (col. 7 lines 24-64). Lazaridis et al. differs from claim 8 of the present invention in that it does not disclose wherein the scripting agent is adapted to configure the electronic message to appear in a format that corresponds to a user interface for an application that resides on a terminal associated with a recipient of the electronic message. Schuetze et al. teaches a mail exchange

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(scripting agent) is adapted to configure an electronic message to appear in a mail format that corresponds to a user interface (pager) of an organization for an application (MS Mail or Lotus) (col. 5 lines 8-28 and col. 9 lines 54-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Lazaridis et al. method with a striping agent is adapted to configure the electronic message to appear in a format that corresponds to a user interface for an application that resides on a terminal associated with a recipient of the electronic message in order for the integrated message system to convert the electronic message to an electronic format which the wireless device to be able to handle and process when the user is away from its desk, as taught by Schuetze et al..

Regarding claim 14, Lazaridis et al. discloses a computer usable medium (fig. 1) having computer readable program code embodied therein for managing communications between at least two terminal devices associated with a common user (fig. 1 number 10 and 24; col. 7 lines 24-25 and col. 7 lines 34-37); wherein at least the second terminal device is a wireless terminal device (fig. 1 number 24), the computer readable program comprising; computer readable program for receiving an electronic message from a sending terminal device addressed to the first terminal device (col. 7 lines 24-64); and computer readable program for transmitting the electronic message to the wireless terminal device (fig. 1 number 24) upon a determination of substantially no user activity at the first terminal device (col. 7 lines 24-64). Lazaridis et al. differs from claim 14 of the present invention in that it does not disclose wherein the scripting agent is adapted to configure the electronic message to appear in a format that corresponds to a user interface for an application that resides on a terminal associated with a recipient of the electronic message. Schuetze et al. teaches a mail exchange (scripting agent) is adapted to configure an electronic message to appear in a mail format that corresponds to a user interface (pager) of an organization for an application (MS Mail or Lotus) (col. 5 lines 8-28 and col. 9 lines 54-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Lazaridis et al. computer usable medium with the scripting agent is adapted to configure the electronic message to appear in a format that corresponds to a user interface for an application that resides on a terminal associated with a

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recipient of the electronic message in order for the integrated message system to convert the electronic message to an electronic format which the wireless device to be able to handle and process when the user is away from its desk, as taught by Schuetze et al..

4. Claims 4,6,11,13,18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis et al. in view of Schuetze et al., newly recited reference as applied to claims 1,8 and 15 above and in further view of Woltz et al..

Regarding claims 4,6,11,13,18 and 20, the combination of Lazaridis et al. and Schuetze et al. differs from claims 4,6,11,13,18 and 20 of the present invention in that they do not disclose transmitting the electronic message (all or summary messages) to the wireless terminal device after the passage of a predetermined amount of time during which the electronic message has not been opened at the first terminal device. Woltz et al. discloses transmitting the electronic message (all or summary messages) to the wireless terminal device after the passage of a predetermined amount of time during which the electronic message has not been opened at the first terminal device (col. 5 lines 19-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the combination of Lazaridis et al. and Schuetze et al. with transmitting the electronic message (all or summary messages) to the wireless terminal device after the passage of a

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predetermined amount of time during which the electronic message has not been opened at the first terminal device in order to guarantee that the e-mail message will be forwarded to the mobile computer so that the user could view its message if away from its desk top computer, as taught by Woltz et al..

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson
Art Unit 2683
April, 13, 2004


WILLIAM TROST
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